

REMARKS

Claims 1-17 are pending in this application. Claims 11-17 have been withdrawn from consideration. By this amendment, claims 11-17 are canceled without prejudice or disclaimer.

Along with this Response, Applicants include a Terminal Disclaimer over U.S. Patent No. 7,074,864. Also included with this Amendment is a Supplemental Information Disclosure Statement.

At the outset, Applicants wish to point out to the Examiner that Application No. 10/536,858 ("858 matter"), cited in the instant Office Action, has been allowed by the Patent and Trademark Office, and that no nonstatutory provisional obviousness-type double patenting rejection was issued in that case. Further, Applicants paid the issue fee in the 858 matter, but have filed a Petition to Withdraw the application from issue under § 1.313.

Claim Rejections

Double Patenting Rejections

Claims 1-10 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 7,074,864. Claims 1-10 have also been provisionally rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-6 of co-pending Application No. 10/536,858. The Examiner has indicated that claims 1-10 would be allowed upon proper filing of a terminal disclaimer over U.S. 7,074,864, and cancellation of claims 11-17. Therefore, this Response includes a Terminal Disclaimer over U.S. 7,074,864.

Finally, included with this Response are a Supplemental Information Disclosure Statement and an authorization to charge the appropriate fee under 1.17(p) to Applicants' account number U.S. PTO Deposit Account 08-2336. Applicants earnestly request acknowledgement and independent consideration of the cited references, and that they be made of record herein.

Should the Examiner have questions or comments regarding this application or this Amendment, Applicant's attorney would welcome the opportunity to discuss the case with the Examiner.

The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

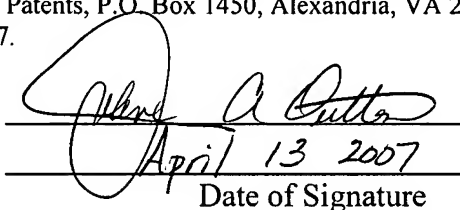
This is intended to be a complete response to the Office Action mailed November 15, 2006.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2007.



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Date of Signature

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